

REMARKS

Claims 1, 2, 4-11, 13-16, 18-21 and 23-24 are currently pending.

I. The Specification

The Examiner requests Applicant's assistance in correcting any errors of which applicant may become aware in the specification.

Applicants have corrected some errors in the specification that they have noticed.

II. Paragraph 2 - The Objection to Claim 8

The Examiner objects to claim 8. In particular, the Examiner states that the recitation "the silver oxide particles" in claim 8, line 5, does not have proper antecedent basis in claim 8 or the claim from which claim 8 depends.

Claim 8 has been amended to delete "the" before "silver oxide particles." It is respectfully submitted that Applicants' claims are clear and definite and it is requested that the rejection under 35 U.S.C. §112 be reconsidered and withdrawn.

III. The Rejection Under 35 U.S.C. §102 Based on JP58-161315

Claims 1, 2 and 6 are rejected under 35 U.S.C. §102 (b) as allegedly being anticipated by JP58-161315 (JP '315).

Claim 1 has been amended to include the subject matter of claim 3. The subject matter of claim 3 was not rejected under 35 U.S.C. §102 by the Examiner. Accordingly, it is respectfully submitted that the subject matter of claims 1, 2 and 6 is not anticipated by JP '315 and it is requested that the rejection under 35 U.S.C. §102(b) be reconsidered and withdrawn.

IV. The Rejection Under 35 U.S.C. §103 Based on JP58-161315

Claims 3-4 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over JP58-161315 (JP '315).

The Examiner states that JP '315 discloses the claimed invention except for the amount of the second material based on the total amount of the first material and the second material is set in a range of 3 to 40 wt%. The Examiner concludes that it would have been obvious to optimize the amounts for the materials of JP '315.

Applicants respectfully submit that the present invention is not anticipated by or obvious over the disclosures of JP '315 and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

In order to solve the problems caused in using the silver particles of which particle distribution is 0.1μ to 20μ and the average particle diameter is 2μ to 3μ as the conductive material of the electrode extraction layer, JP '315 discloses that the silver particles of which particle diameter is 1μ or less are excluded from the silver particles of which particle distribution is 0.1μ to 20μ and average particle diameter is 3μ . See the partial translation of JP '315, P.85 column 8 + and Example 1. In addition, as the effects obtained by the exclusion of the silver particles having the particle diameter of 1μ or less, JP '315 discloses migration of silver is restricted and a defective generation rate by leakage current is reduced.

Therefore, JP '315 does not disclose the ratio of the first material and the second material as claimed in present claims 3 and 4.

Further, while as set forth above it is believed the Examiner has not established a prima

facie case of obviousness, to advance the prosecution of the case, Applicants note that the present specification provides evidence showing the improved properties of the presently claimed solid electrolyte capacitor.

According to Table 4 of the present specification, the effect of setting the ratio of the first material and the second material in the range defined in the present claim 3 gives an unexpected reduction of ESR, which is not disclosed in JP ‘315.

Further to claim 6, the Examiner alleges that JP ‘315 “discloses the binding agent is at least one resin selected from polyimide resin, epoxy resin, and polyester resin.” Applicants respectfully traverse the Examiner’s understanding. JP ‘315 discloses epoxy resin as a material for encapsulation, not as a material for binding agent included in the cathode.

For the above reasons, it is respectfully submitted that the subject matter of claims 3 and 4 is neither taught by nor made obvious from the disclosures of JP ‘315 and it is requested that the rejection under 35 U.S.C. §103(a) be reconsidered and withdrawn.

V. The Rejection Based on JP 58-161315 in view of 57-83022

Claims 10, 11, 13-16, 18-21, 23 and 24 are rejected under 35 U.S.C. §103 (a) as allegedly being unpatentable over JP 58-161315 (‘315) in view of 57-83022 (‘022).

Claims 10, 15 and 20 have been amended to include the subject matter of claims 12, 17 and 22, respectively. JP ‘022 does not disclose the ratio of the maximum length L to the thickness d (L/d) as claimed. Further, Table 8 of the present specification shows the unexpected results achieved by the presently claimed solid electrolyte capacitor with L/d ratio.

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For the above reasons, it is respectfully submitted that the subject matter of 10, 11, 13-16, 18-21, 23 and 24 is neither taught by nor made obvious from the disclosures of JP '315 and JP '022 and it is requested that the rejection under 35 U.S.C. §103(a) be reconsidered and withdrawn.

VI. Conclusion

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the pending claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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